

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 04078**, requested by Dave Johnson of Studio NRG on behalf of the Rape/Spouse Abuse Crisis Center, to designate the Lally House at 2541 N Street as a landmark.

STAFF RECOMMENDATION: Approval

ASSOCIATED REQUESTS: Special Permit No. 04062 (05R-6).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/08/04
Administrative Action: 12/08/04

RECOMMENDATION: Approval (9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes').

FINDINGS OF FACT:

1. This change of zone request and the associated Special Permit No. 04062 were heard at the same time before the Planning Commission.
2. The purpose of this request is to designate the Lally House at 2541 N Street as a landmark, pursuant to § 27.57.120 of the Lincoln Municipal Code. The associated Special Permit No. 04026 seeks authority to use the landmark property as a crisis/counseling center.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the designation of the Lally House as a landmark appears to be consistent with the Comprehensive Plan and with Chapter 27.57 of the Zoning Ordinance (Historic Preservation District).
4. The presentation by Ed Zimmer as the historic preservation planner is found on p.5. This landmark designation was recommended for approval by the Historic Preservation Commission.
5. The applicant's testimony is found on p.5-6. The applicant met with the Woods Park Neighborhood Association prior to purchasing the property. The proposed expansion of the RSACC facility will provide some private rooms for counseling services.
6. The record consists of two letters in support from the Woods Park Neighborhood Association and a neighbor in Woods Park (p.15-16).
7. Testimony in opposition by Don Pearston, 229 S. 26th Street, is found on p.6, and his letter in opposition is found on p.17-18. His opposition focused upon the current parking problems in the neighborhood and the impact of this expanded facility on the existing parking problems. Pearston is also opposed to the landmark designation because he does not believe that RSACC has any interest in the preservation of the perpetuation of the property for posterity. He believes they are attempting to circumvent the requirements of the R-6 zoning.
8. The staff and applicant responses to the opposition are found on p.7-8. Mr. Zimmer stated that the landmark designation is based upon being representative of a style or time period of architecture. It exemplifies a style of a certain time.
9. On December 8, 2004, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 3, 2005

REVIEWED BY: _____

DATE: January 3, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.04078

W44

DATE: November 24, 2004

PROPOSAL: Landmark designation for the Lally House at 2541 N Street.

CONCLUSION: Designation of the Lally House as a Landmark appears to be consistent with the Comprehensive Plan and with Chapter 27.57 of the Zoning Code (Historic Preservation District).

RECOMMENDATION:

Approval |

GENERAL INFORMATION:

LEGAL DESCRIPTION: Irregular Tracts lots 46 and 59 in the NE quarter of Section 25, Township 10 North, Range 6 East, Lancaster County, NE

LOCATION: 2541 N Street, on the south side of N, west of 26th.

EXISTING ZONING: R-6 Residential District.

SIZE: .15 acres, more or less.

EXISTING LAND USE: single family residence

SURROUNDING LAND USE AND ZONING:

North:	“Lighthouse” (youth services) Credit Union	R-6 Residential and B-3 Commercial
South:	Residential	R-6, Residential
East:	Residential	R-6, Residential
West:	Office in Landmark (Special Permit)	R-6, Residential, designated as Landm’k

HISTORY: This Queen Anne style “cottage” of 1889 is part of an ensemble of three early houses that form a unique remnant of Lincoln’s east “suburban” edge in the 1890s.

UTILITIES: This area is served by all City utilities.

PUBLIC SERVICE: This area is served by all City public services.

AESTHETIC CONSIDERATIONS:

The house stands between two larger landmark properties of similar age and forms a unique and important group of early structures.

ALTERATIVE USES:

Landmark designation does not change the permitted uses in the R-6 residential district but is accompanied by a Special Permit request to operate part of the RSACC facility in the house.

ASSOCIATED REQUEST:

Special Permit 04062

ANALYSIS:

1. Lincoln Municipal Code, section 27.57.120 provides for designation of landmarks that are *"Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States"* or that *"Represent a distinctive architectural style or innovation..."*
2. The Historic Preservation Commission held a public hearing on this matter and voted unanimously to recommend that the Lally House be recognized as a Lincoln Landmark for its architectural character as an early Queen Anne style cottage and especially for its central place in a trio of 1880s houses that exemplify an early phase of Lincoln's eastward growth.
3. Preservation guidelines for the proposed landmark are based on the typical Lincoln landmark guidelines.
4. The application is enclosed.
5. The 2025 Comprehensive Plan includes a strategy to "Continue efforts to inventory, research, evaluate and celebrate the full range of historic resources throughout Lancaster County, collaborating with individuals, associations, and institutions, and designating landmarks and districts through the local preservation ordinance and the National Register of Historic Places."
6. The Lally House is within the area of the proposed Antelope Valley Redevelopment Plan, in a neighborhood where conservation of existing structures, especially historic structures, is encouraged. Landmark designation of the Lally House is consistent with this Plan.

Prepared by:

Edward F. Zimmer, Ph. D.
Historic Preservation Planner

APPLICANT: Rape/Spouse Abuse Crisis Center
2545 N Street
Lincoln, NE 68510
(402)476-0899

CONTACT: Dave Johnson
StudioNRG
105 N. 8th Street
Lincoln, NE 68508
(402)429-7109

**CHANGE OF ZONE NO. 04078
and
SPECIAL PERMIT NO. 04062**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

December 8, 2004

Members present: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor Larson and Bills-Strand.

Staff recommendation: Approval of the change of zone and conditional approval of the special permit.

Ex Parte Communications: None.

These applications were removed from the Consent Agenda due to a letter in opposition.

Proponents

1. Ed Zimmer of Planning staff submitted letters in support from Becky Martin and Michael James on behalf of the Woods Park Neighborhood Association, and a letter in opposition from Don Pearston.

The subject house was built in 1890. The houses on either side are already designated landmarks and both operate under special permits. The owner and operator of the house east of the subject house, the Rape and Spouse Abuse Crisis Center, purchased this property and wish to extend their operations to this property as well. The Historic Preservation Commission recommended approval, with the request that the site plan come back to the Preservation Commission for final review.

This designation comes on the basis of architectural character of the property, envisioning this row of three 19th century houses. The special permit application requests the same kind of use as the property immediately adjacent to the east. They wish to link the two properties physically and serve them with a common parking lot across the back. There will be a more detailed site plan submitted for final review by Public Works and the Building & Safety Department.

Support

1. Marcy Metzger, Executive Director of the **Rape/Spouse Abuse Crisis Center (RSACC)**, testified in support and explained the services provided by the crisis center for the past 30 years, being at the 2545 N Street location since 1991. Last year, RSACC answered more than 16,000 client related calls and provided services to more than 2000 victims and their families. In order to respond to the complexity of relationship violence, the agency has been involved in building collaboration in the community to respond to this violence. This proposed additional facility is not to be used to house individuals. RSACC is in collaboration with all three hospitals and with all law enforcement. RSACC also has on-site advocates at the probation office, as well as support groups in the community. RSACC has 16 full-time equivalents and much of the work is done out in the community. They have

a staff meeting once a week. They provide walk-in services from 9:00 a.m. to 7:00 p.m., Monday and Wednesday; 9:00 a.m. to 5:00 p.m., Tuesday and Thursday; and open Saturday mornings from 9:00 a.m. to 1:00 p.m. They have worked hard to be responsible neighbors and RSACC is honored to have the opportunity to purchase this property. The proposal was immediately taken to the Woods Park Neighborhood Association board prior to purchasing the property and the Neighborhood Association is in support.

2. Dave Johnson, of Studio Energy Architects, and a board member with RSACC, discussed the site plan. They are proposing a parking lot on the south side of the property with 14 stalls (which is an increase of 10 stalls) to help some of the parking congestion on the street. This also provides a handicap stall and handicap access as opposed to parking on the street. RSACC has communicated with the neighbor to the south who is opposed to the parking lot. In an attempt to alleviate those concerns, the parking lot was located 6' from the property line in order to do some screening. Mr. Pearston is requesting that there be a stockade fence as opposed to the natural screening, and the applicant will not object.

Programmatically, this expansion will provide some private rooms for counseling services. Currently, in the approved facility, the exit is through an office, out a door and out an outside fire stair. By connecting the two residences, there will be a fire exit on the main floor and on the second floor, resulting in three exits off the second floor.

Opposition

1. Don Pearston, 229 S. 26th Street, south of the current facility for RSACC, testified in opposition. The process was begun with the Historic Preservation Commission without anyone in the neighborhood knowing about it. There was no representation from the neighborhood that has been affected by RSACC at the Historic Preservation Commission meeting. Pearston stated that he appreciates the services rendered by RSACC, but the parking situation is a problem. The cornerstone of his argument is that there needs to be a permanent solution to the parking before there is any expansion of the buildings. There is an 82-plex apartment building, a school, the Lighthouse and several businesses that do not have parking facilities in this area. The parking bleeds into the neighborhood on 25th and 26th Streets, going down to at least M Street on both sides of the street. The driveways are often times partially blocked. Pearston submitted that the applicant's current drawings are a remedy, not a solution, to the parking problem. They are proposing this large expansion and they have not solved the ongoing parking problem that has been there for years. They are proposing 14 parking stalls, but this does not cover all of the employees, volunteers and guests. The guests will continue to park on the street. The Lighthouse has absolutely no off-street parking. Elliott Elementary has parking, but it overflows very quickly, bleeding out into the neighborhood. Capitol City Villa is an 82-plex which does not have sufficient parking for its residents. 2541 N Street has no parking space and RSACC has four spaces currently. There is a serious parking problem in this neighborhood. Is the city going to continue to allow expansions without a permanent solution for parking?

Pearston went on to suggest that this 14 stall parking lot would run down the entire property line of his home. It is going to be noisy, it may devalue his home, and he did not know he purchased a home that would be next door to an expanding enterprise.

Pearston is concerned about RSACC expanding further in the future. RSACC started in the mid-1970's and has expanded for over 30 years unchecked. He believes that this proposal will result in expansion of services as well as office space. There will be loss of property tax and excessive use of the neighborhood as a parking facility.

Pearston is also opposed to the landmark designation. RSACC has no interest in the preservation of the perpetuation of this house for posterity. The reason they are seeking this landmark designation is to circumvent the R-6 zoning in order to hook the two houses together. R-6 zoning would not allow this kind of expansion. They want a more flexible arrangement with this landmark designation. If the real concern is the preservation of the house, it would be better for a private entity rather than for an expanding nonprofit organization.

Pearston also does not believe that this proposal meets the standards of the landmark designation. He does not believe this house is associated with anyone making a significant contribution to the heritage and culture of the city. Nor was it built by a well-known craftsman or has significant developer. This is a "runt" between two very glamorous buildings. He does not believe this application meets the criteria for landmark designation.

Response by the Applicant

In regard to the criteria, Zimmer pointed out that the language in the ordinance includes the key word "or". It needs to be associated with significant persons or events "or" representative of a style or time period of architecture or have archeological value. It is Zimmer's opinion that the application meets the second criteria of exemplifying a style of a certain time. This small cottage, while currently impeded somewhat by asbestos siding, does have the architectural characteristics of a certain time period. It is strengthened in its value and preservation is enhanced by its placement between two larger examples. Alone, it is a good example of a Queen Ann cottage.

Pearson asked whether there was any discussion by the Historic Preservation Commission about connecting the cottage to a landmark. Zimmer stated that there was such a discussion. The design seeks to mitigate the impact of that by moving that addition quite a ways back from the facade of the building. There is opportunity to introduce landscaping in front of it. They have done a lot of work in recent years on the building they have owned and maintained to enhance its historic character.

Marvin inquired as to how this designation protects the property. Zimmer stated that the landmark puts in place that agreement between the owner and the city governing future changes to the building. It is a neat little house today that has not been maintained as a historic property. The landmark special permit seeks to offer opportunity for owners to put in a use that zoning would not ordinarily allow in order that they might better maintain and enhance the landmark. It is a specific incentive program that requires the judgment of the Planning Commission and the City Council as far as meeting the balance between preservation and the impact on the neighborhood.

Taylor inquired about the hours of operation and how many staff might be there at one time. Metzger stated that at any one time on most any typical day the staff are out in the community as opposed to being at this office facility. There are 4-6 employees at the office site on a typical day. The walk-in traffic is very low key. RSACC has been a very good neighbor and has been active in the Woods Park

Neighborhood Association. RSACC talked with the Neighborhood Association before even purchasing the house. Mr. Pearston has never spoken to RSACC about parking issues. There have not been substantial complaints about the parking. RSACC does not intend to continue to expand at this facility. It is much to the advantage of the victims for the RSACC staff to be out in the community to meet the needs.

Taylor inquired whether clientele will be able to park in the parking lot behind the building. Metzger indicated that to be the intent because many of the clients have safety concerns.

Taylor inquired whether the applicant foresees increased off-street parking or decreased off-street parking with this application. Metzger believes it will result in increased off-street parking by 10 stalls.

Carroll inquired about the landscaping and lighting for the parking lot. Zimmer stated that there are no lights currently proposed. The Historic Preservation Commission has asked to see more detailed plans and there would be interest in both landscaping and lighting issues. Dave Johnson added that Building & Safety would have to approve any parking lot lighting that might be proposed.

Pearson believes the main concern here is parking. If this were office occupancy and the rate were 1/100 sq. ft., what would be the required number of off-street parking if this were office zoning? Johnson responded, stating that they will end up with 2900 sq. ft. per floor. If this were office zoning, the requirement would be 5/1000 sq. ft. It would be 1/100 sq. ft. if it were a restaurant. This would equate to about 15 stalls. Zimmer suggested that 1/300 sq. ft. would be more typical in many of the districts, which is 10-15 stalls.

CHANGE OF ZONE NO. 04078

ACTION BY PLANNING COMMISSION:

December 8, 2004

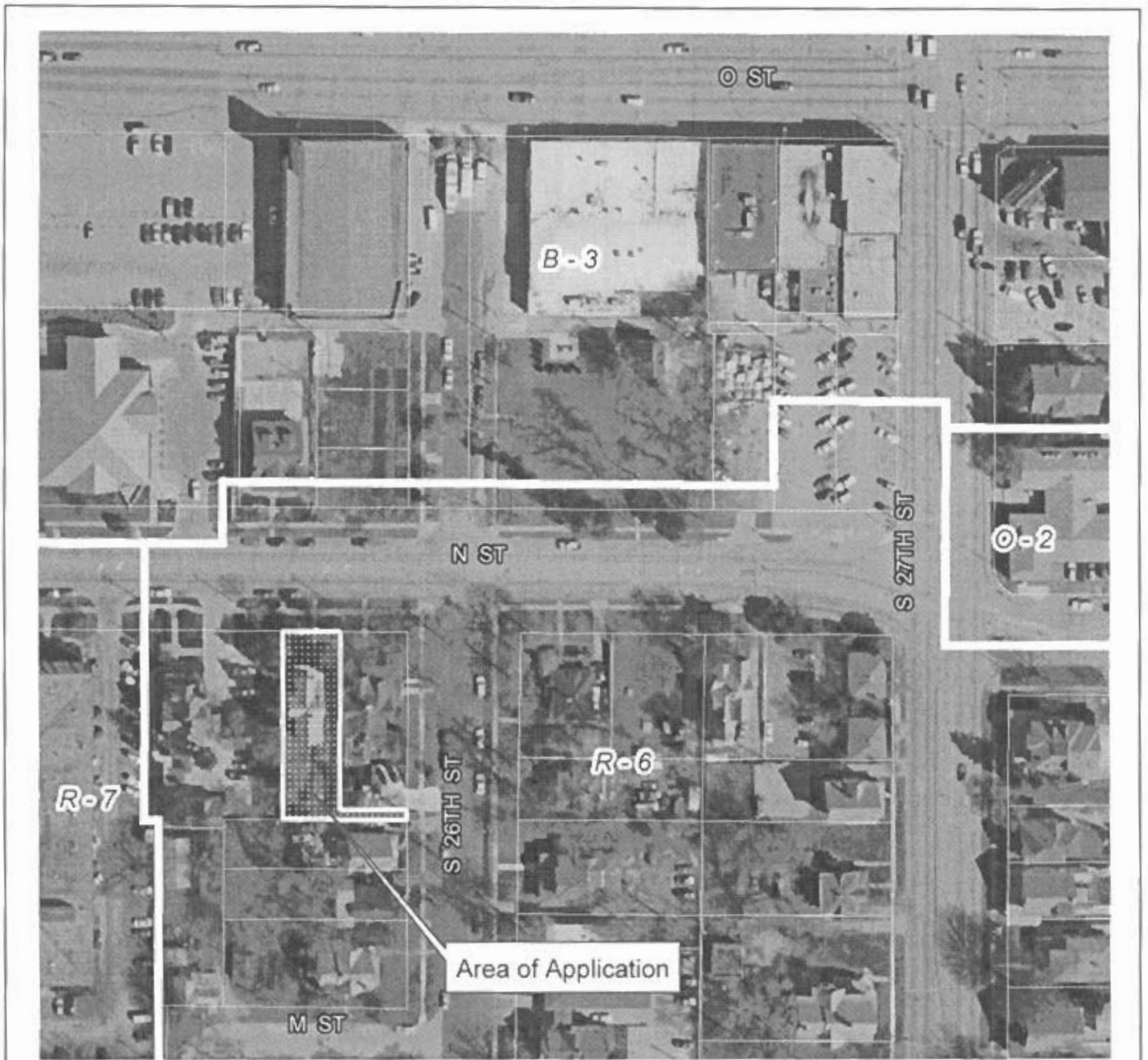
Pearson moved approval, seconded by Marvin and carried 9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04062

ACTION BY PLANNING COMMISSION:

December 8, 2004

Pearson moved to approve the staff recommendation of conditional approval, seconded by Marvin and carried 9-0: Carlson, Carroll, Krieser, Sunderman, Pearson, Marvin, Taylor, Larson and Bills-Strand voting 'yes'. This is a recommendation to the City Council.



2002 aerial

Change of Zone #04078HP **Special Permit #04062** **S. 25th & N Street**

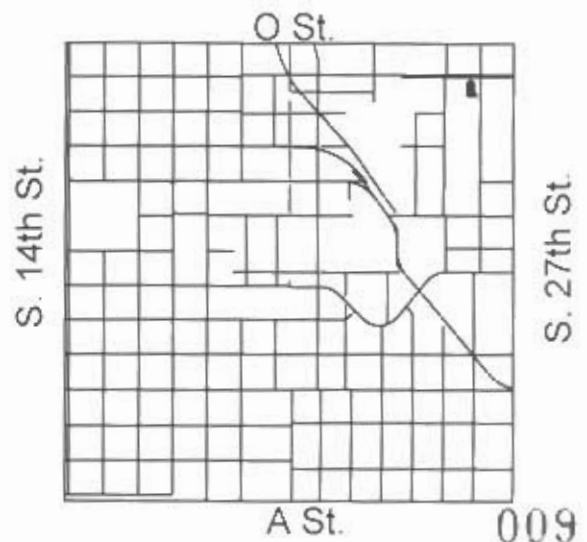
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 25 T10N R6E



Zoning Jurisdiction Lines
 City Limit Jurisdiction



Lincoln City - Lancaster County Planning De

APPLICATION FOR LANDMARK OR LANDMARK DISTRICT DESIGNATION
ADDENDUM TO PETITION TO AMEND THE ZONING ORDINANCE
LINCOLN, NEBRASKA

1. NAME

Historic
and/or Common
NeHBS Site #

Lally House

LC13:D8-3898

2. LOCATION

Address

2541 N Street, Lincoln, NE 68508

3. CLASSIFICATION

Proposed Designation

☐ Landmark District
☒ Landmark

Category

☐ district
☒ building(s)
☐ structure

☐ site
☐ object

Present Use

☐ agriculture
☐ commercial
☐ educational
☐ entertainment
☐ government

☐ industrial
☐ military
☐ museum
☐ park
☒ private residence

☐ religious
☐ scientific
☐ transportation
☐ other

4. OWNER OF PROPERTY

Name
Address

Rape/Spouse Abuse Crisis Center
2545 N Street, Lincoln, NE 68508

5. GEOGRAPHICAL DATA

Legal Description

Irregular Tract Lot 46 & 59 NE 25-10-6

Number of Acres or Square Feet: **0.155 acres**

6. REPRESENTATION IN EXISTING SURVEYS

Title *Historic and Architectural Survey of Lincoln, NE*

Date on-going State County ☒ Local

Depository for survey records **Lincoln Planning Dept., Lincoln, NE 68508**

Is proposed Landmark or Landmark District listed in the National Register?

☐ yes, date listed
☒ no

7. DESCRIPTION AND HISTORY

Condition

X fair

X original site

X altered

DESCRIPTION:



This 1 ½ story Queen Anne style cottage stands on a tall terrace above N Street, and also stands at the crest of the first hill rising above the Antelope Creek valley. The house faces north, with a full-length front porch (a modification of the first quarter of the 20th century) with doric columns on quarry-faced concrete block pedestals.

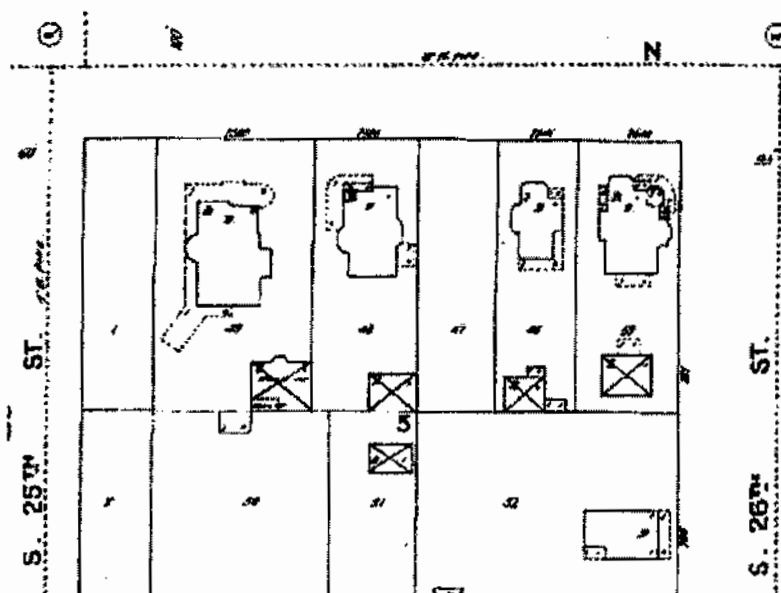
The facade is dominated by a front gable wing with chamfered corners in the manner of a bay window. The front entrance is recessed to the east of this projecting bay. The polygonal bay includes the full height of the first story and half the height of the second story, where tiny side windows flank a tall central windows. These varied wall surfaces are typical of the Queen Anne style and it is very likely that ornamental wall-shingles heightening the decorative effects are concealed by asbestos siding.

Lally House, 2541 N Street, July 2004

The main roof is an east-west gable, with a low eyebrow dormer set on the east side above the main entrance. The roof has eaves returns. An tall chimney with ornate brickwork stands to the west side of the front wing.

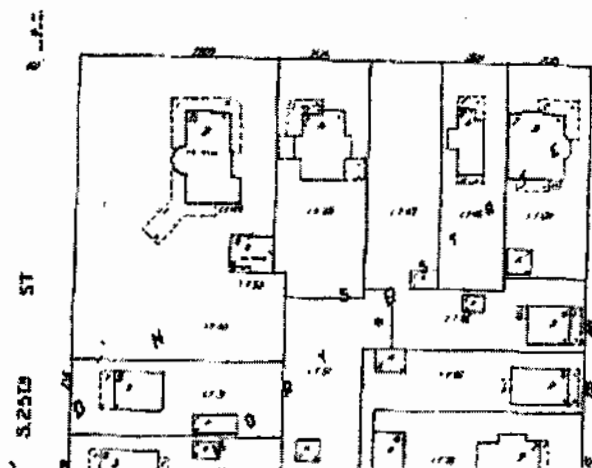
The Lally House is located between two much larger and more ornate Queen Anne style houses, the Murphy-Sheldon House to the west at 2525 N Street and the Pace-Woods House to the east at 2545 N Street. The three contemporary buildings form an important ensemble of "suburban" houses.

(1903 Sanborn Atlas)



HISTORY: Development in this area began in the late 1880s, when Lincoln was experiencing its decade of most rapid growth. The blockface on the south side of N Street between 25th and 26th St. gained four houses in within a few years, including a large brick house on the west side (demolished) and three frame houses in the Queen Anne style. The two larger frame houses were both occupied by families associated with real estate development in Lincoln. The smaller center house apparently was used as rental property in its early years as none of the early owners were listed as residents. A mechanic's lien of 1889 records construction of "a two story frame

tenement house" on the site: The 1889 directory lists Lewis C. Pace at 2541 N Street but the 1890 listing includes Pace at 2549 N (his corner house) and 2541 N (no resident listed). Probably the addresses on the block were shifting as the final houses were built. The owners at that time were Jane G. and C. H. Hutchins, who had their own real estate company with offices 1122 O Street. By the mid-1890's the property had been through several owners, including a foreclosure proceeding. The house possibly served as a rental property during this period.



The 1903 Sanborn atlas shows the early development of the block, depicting 2541 N with a small entrance porch at the northeast corner. The house located at 2541 N Street may be referred to as the Lally House because of the first known owner-occupants were members of the Lally family. Mary A. Lally bought the property in 1903. Frank M. and Eleanor Lally's address is listed in the 1904 City Directory as 2541 N St. Mr. Lally was a janitor at the University Farm and Mrs. Lally was a teacher at nearby Elliot School.

(1928 Sanborn Atlas)

8. SIGNIFICANCE

Period

Areas of Significance-Check and justify

X 1800-1899

X architecture

X community planning/development

Specific dates: 1889

Builder/Architect: unknown

Statement of Significance (in one paragraph):

The Lally House is the centerpiece of a significant ensemble of Queen Anne style houses demonstrating development on the east terrace above of Antelope Creek during the city's decade of most explosive growth. The flanking Pace-Woods House and Murphy-Sheldon House are larger and more ornate than the Lally cottage but the smaller house completes the important grouping.

9. STANDARDS FOR DESIGNATION

X Associated with events, person, or persons who have made a significant contribution to the history, heritage, or culture of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States;

X Represents a distinctive architectural style or innovation, or is the work of a craftsman whose individual work is significant in the development of the City of Lincoln, the County of Lancaster, the State of Nebraska, or the United States.

10. MAJOR BIBLIOGRAPHICAL REFERENCES

Lancaster County Deeds, Lincoln City Directories, Sanborn Map Company atlases.

11. FORM PREPARED BY:

Name/Title: David A. Gaspers and Ed Zimmer on behalf of the owners

Organization: for the Linc./Lanc. Planning Dept. Date Submitted 10/12/04

Street & Number 555 S. 10th St. Telephone 441-6360

City or Town Lincoln State NE 68508

Signature_____

FOR HISTORIC PRESERVATION COMMISSION USE ONLY:

DATE LANDMARK/LANDMARK DISTRICT DESIGNATED

LANDMARK/LANDMARK DISTRICT NUMBER

I:\HPC\LMARKS\LallyApp.wpd

Memorandum

To:	Ed Zimmer, Planning Department
From:	Charles W. Baker, Public Works and Utilities
Subject:	Change of Zone #04078, 2545and 2541 'N' Street
Date:	November 21, 2004
cc:	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the application for Landmark Designation and Change of Zone #04078 at 2541 and 2545 'N' Street. Public Works has no objections. See Special Permit report for parking comments.

IN SUPPORT

ITEM NO. 1.1a&b: CHANGE OF ZONE NO. 04078
SPECIAL PERMIT NO. 04062
(p.01 - Consent Agenda - 12/08/04)



Jean L Walker
12/07/2004 02:37 PM

To: Marvin S Krout/Notes@Notes, Ray F Hill/Notes@Notes
cc: (bcc: Jean L Walker/Notes)
Subject: Change of Zone No. 04078 and Special Permit No. 04062 - Support

----- Forwarded by Edward Zimmer/Notes on 12/07/2004 02:31 PM -----



MDJ14528@aol.com
12/07/2004 12:27 PM

To: ezimmer@lincoln.ne.gov
cc: Bambi@rsacc.org
Subject: change of zone and special permit application

Dear Ed:

I am writing in regard to the Change of Zone No. 04078, for a landmark designation, on property at 2541 N Street, Special Permit No. 04062, for a nonprofit office use at the same location.

I recently received notice of the application by RSACC for the zoning changes. We haven't had the opportunity for a presentation to the entire Woods Park Neighborhood Association Board. However, a fellow WPNA board member, Bambi Carnicle, had brought to the board the information that they were buying the house next door to RSACC. She told us the intention of expanding their offices into it. I would say that there was great support of the idea. RSACC is a very valuable community service and they have been good neighbors in Woods Park. We will have a formal vote at our next meeting which is the 14th of December. I can say with a large degree of certainty that WPNA will support the zone changes for the property at 2541 N street.

Michael James

President, WPNA

IN SUPPORT

ITEM NO. 1.1a&b: **CHANGE OF ZONE NO. 04078**

SPECIAL PERMIT NO. 04062

(p.01 - Consent Agenda - 12/08/04)



"Becky Martin"
<rjmartin2@msn.com>

11/30/2004 10:56 PM

To: <plan@ci.lincoln.ne.us>, "Ed Zimmer" <ezimmer@ci.lincoln.ne.us>
cc:

Subject: 2541 "N" Street Change of Zone and Special Permit

Dear Ed Zimmer and Planning Commission Members,

This letter is in support of the Landmark Designation (04078) and Special Permit (04062) for 2541 "N" Street or the RSACC property. The Lally House deserves this special honor. RSACC has taken special care of this property and the designation would ensure the future preservation of this wonderful house. I urge the Planning Commission to support these requests as they will help preserve the historic characteristics of Woods Park Neighborhood.

Becky Martin
Neighbor in Woods Park

Don Pearston (p.1- Consent Agenda - 12/08/04)



●229 S. 26th St. ●Lincoln, NE 68510 ● Phone (402) 477-0514●

● e-mail dpearston@yahoo.com●

12/5/2004

Planning Commision,

I am writing this letter to oppose the special permit the RSACC has applied for in regards to 2541 N street and the 14 stall parking lot they propose building behind this building and their current building next door at 2545 N street.

I live in the house just south of the spousal abuse center, though I believe they offer a valuable service, their increased parking needs have been a growing problem. Our neighborhood has been inundated with their visitors cars parked on both sides of our street-on south 26th street. It is always difficult for apartment tenants and homeowners in the neighborhood to locate parking (this is a high density apartment area). Additionally, RSACC's guests often jam their cars into spots so that they partially block our driveways. Just last week the landscaper for the abuse center almost completely blocked my driveway, he apologized politely but stated, "there is not another place to park". In summation, this is a residential neighborhood and RSACC needs to resovle its current parking problems instead of this planned expansion.

I spoke to Dave Johnson, an RSACC board member and the architect for this expansion plan, he also amitted that there is a parking problem and that even with this new plan the new parking lot would simply be a "remedy and not a solution". He further stated that there are 14 full time employees and also volunteers working at RSACC. That would mean that the proposed parking lot would not provide enough parking spaces for their employees let alone the many guests that line our street daily. Not only do there expansion plans not solve the parking problems, if permitted, we would have a busy and large parking lot in our neighborhood-particularly by my own home as the new parking lot would run the length of my property.

In their request for a special permit, on the house they purchased next to the RSCACC, its states that there will not be an expansion of services. If they need to purchase additional land and office space that is by definition an expansion. Additionally, what is to stop them in the very near future from expanding services?

Lets look at their continual expansion since their inception:

- The organization started in 1974
- In 1976 they expanded to become part of the Family Services Association
- In 1978 they expanded so to include domestic violence
- Later expanded services to incest survivors
- In 1989 it incorporated into a non-profit 501 corporation.
- In 1992 bought the current residential home and added services
- 2000 they were operating with less cars and guests under R-6 zoning.
- In 2001 they got a special permit and increased operation, traffic and parking (by a few spaces).
- Now, in 2004 they have bought the house next door and want to expand their operations and build a large parking lot.

Based on the above it is obvious that they are in fact expanding, and have done so unchecked every couple of years-and probably will continue to do so in the future.

I do have one possible solution and that would be for RSACC to seek an arrangement to either buy or lease parking spaces from either of the two lots north of their current location. Dave Johnson said the tried to buy them but the current owners declined. How about a long-term lease? Or, they could demolish their new building and make a large parking lot in its place.

In closing I hope that I have presented our case: In short RSACC is in fact expanding like they have in the last few decades and since being on N street they have outgrown their ability to provide parking to there guests. They have now bought the neighboring house to expand their operations with 1700 sq. feet of additional space and build a 14-stall parking lot that would not even provide enough stalls for their employees let alone their many guests. We hope that you will deny this special permit (and expansion) until they can adequately provide needed parking spaces for both their employees and guests.

Sincerely,



Don Pearston, MA